Remarks

Introduction

Applicant herein amends the specification to correct a typographical error on page 24 and provide a proper recitation of reference characters on page 19. Elements 340 (starting controller) and 342 (network server interface) are only loosely input elements. No new matter is added.

Claims 23, 26, and 28-34 are amended to clarify the antecedent basis of the "display" and "display screens" of the supplemental display and the display screen of the slot machine. No new matter is added.

Applicants hereby respectfully request reexamination and reconsideration of the pending claims in light of the amendments and remarks provided herein and in accordance with 37 C.F.R. §1.112.

The Office Action's Rejection

§ 102(b) – Claims 1, 4, 6-12, 15, 17-23, 26, and 28-35

Claims 1, 4, 6-12, 15, 17-23, 26, and 28-35 were rejected under 35 U.S.C. § 102(b) as being anticipated by Bennett et al. (hereinafter "Bennett"). Applicant respectfully traverses.

Bennett is not prior art under 35 U.S.C. § 102(b)

Applicant initially notes that 35 U.S.C. § 102(b) requires that the reference be published or in public use or offered for sale more than a year before Applicant's priority date. Bennett does not qualify as prior art under 35 U.S.C. § 102(b). Specifically, Applicant's priority date is March 3, 2003, which is less than one year after Bennett's publication date of January 2, 2003. As such, Bennett does not qualify as prior art under 35 U.S.C. § 102(b). If the Patent Office feels that Applicant is not entitled to this priority date as to one or more claims, Applicant requests that the Patent Office articulate which claims, if any, are not disclosed in the parent provisional and why the Patent Office feels that the claim is not so disclosed. In the absence of such a rebuttable explanation, Applicant's claims are entitled to the priority date, and Bennett is not prior art under 35 U.S.C. § 102(b). Applicant requests withdrawal of the § 102(b) rejection of the claims at this time.

Bennett does not anticipate the claims

In the interests of advancing prosecution, Applicant addresses the merits of Bennett. For the Patent Office to prove anticipation, the Patent Office must show where each and every

element of the claim is taught in the reference. Furthermore, the elements of the reference must be arranged as claimed. MPEP § 2131. Anticipation is a strict standard which has not been met in the present application.

Bennett teaches a system where a reel based game occurs on a first display 16 and the paytable (sometimes called scorecard 22) is displayed on a second display 18. Thus, display 18 merely shows a dynamic paytable. The outcome from the first screen 16 is not rearranged and displayed in a linear fashion on second display 18.

Claim 1 recites a first display operable to display a non-linear outcome, the non-linear outcome including a set of reel positions that are disposed along a line that is not straight. The Patent Office asserts that this element is taught by Bennett paragraph 0046 and further asserts that many types and shapes of paylines used in reel games including linear and non-linear paylines are well known in the art. The fact that the Patent Office has to step outside the teachings of Bennett for the proposition that non-linear paylines are known shows that Bennett does not anticipate claim 1. Applicant requests withdrawal of the anticipation rejection on this basis.

Further, **claim 1** recites a second display operable to display a representation of the non-linear outcome as a linear outcome. The Patent Office asserts that this element is taught at Bennett Figs. 7-9 and element 52, "where an outcome **achievable** on any generic payline is shown on a secondary display in a linear fashion." (Office Action of June 12, 2006, page 2, lines 23-24, emphasis added). Applicant traverses this assertion. Display 22 (the secondary display of Bennett) is a paytable (see Bennett paragraph 0026). Element 52 is described as a mystery combination that has a payout in addition to the standard paytable (see pagagraph 0047). Thus, element 52 is not a representation of **the outcome** displayed on the first display of Applicant's claim. As the Patent Office indicates, mystery outcome 52 is an outcome achievable on a payline, but it is not a representation of the outcome from the primary display. As such, Bennett does not teach the claim element recited in the claim. Applicant requests withdrawal of the anticipation rejection on this basis as well.

Claims 4, 12, 15, and 35 have similar elements to claim 1 and are not anticipated at least for the same reasons.

Claims 23 and 26 recite that the first display of the slot machine displays a non-linear outcome disposed along a non-linear payline. The Patent Office asserts that this element is

taught by Bennett Figs. 7-9 and element 52. However, the Patent Office's explanation is not consistent with the claim language. Specifically, the Patent Office states "where an outcome is achievable on any generic payline is shown on a secondary display in linear fashion." (Office Action of June 12, 2006, p. 3, lines 3-5). Even assuming this statement is true (a point which Applicant does not concede), that is not what is claimed in the first part of claims 23 and 26. Rather, the first element of claims 23 and 26 recites the display of the outcome on the non-linear payline. Bennett never teaches a non-linear payline. The Patent Office effectively admits this fact in its later analysis where it states that "many types and shapes of paylines used in reel games including linear and non-linear paylines are well known in the art." (Office Action of June 12, 2006, p. 3, lines 8-9). However, as explained above, this asserted reliance on components outside of Bennett effectively vitiates the anticipation argument set forth by the Patent Office. As such, Bennett cannot anticipate claims 23 and 26.

Claims 23 and 26 further recite the second display screen of the supplemental display is operable to display a representation of the non-linear outcome as a linear outcome. The Patent Office repeats its reliance on Figs. 7-9 and element 52. However, as explained above, element 52 and the portions of the other Figures are not outcomes, they are portions of the paytable. An achievable outcome is not the outcome displayed on the first display of the slot machine. As such, Bennett does not teach the claim element. Since Bennett does not teach the claim element, Bennett cannot anticipate the claims.

The dependent claims are not anticipated at least for the same reasons that the independent claims from which they depend are not anticipated. Further, the dependent claims further define the nature of the outcomes displayed on the first and second displays. Since Bennett's second display 18 does not display outcomes from the first display, but instead displays a paytable 22, Bennett does not teach these elements. While a few examples are discussed below, failure to discuss a particular claim should not be considered an admission that there are not separate reasons for patentability.

For example, **claim 6** recites that the first display displays a plurality of outcomes, one of which is non-linear and that the second display further displays an indication of which outcomes are winning outcomes. Nothing in Bennett shows a non-linear outcome on the first display.

Claim 8 recites that the second display displays an indication of outcomes upon which a wager was placed. The Patent Office cites to paragraph 0028 of Bennett. Applicant traverses.

Paragraph 0028 discusses the buttons 24 which indicate which lines are to be bet and the number of credits to bet. Buttons 24 are not part of the second display 18, which has previously been interpreted by the Patent Office to be the second display of the claims. Thus, the elements of Bennett are not arranged as claimed and claim 8 is not anticipated.

Conclusion

At least for the foregoing reasons, it is submitted that all claims are now in condition for allowance, or in better form for appeal, and the Examiner's early re-examination and reconsideration are respectfully requested.

Alternatively, if there remain any questions regarding the present application or the cited reference, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact Taylor M. Davenport at telephone number 203-461-7228 or via electronic mail at tdavenport@walkerdigital.com, at the Examiner's convenience.

Authorization to Charge Fees

Applicants do not believe an extension of time to make this Amendment and Response timely is necessary. However, should an extension of time be necessary, please grant a petition of an extension of time necessary to make this submission timely. Additionally, please charge any fees that may be required for this submission as follows:

Deposit Account: 50-0271

Order No. 03-013

Charge any additional fees or credit any overpayment to the same account.

A duplicate copy of this authorization is enclosed for such purposes.

Respectfully submitted,

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Date

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